

TRANSCRIPTION - ORIGINAL FOLLOWS

MEMORANDUM FOR MR. McGEORGE BUNDY
THE WHITE HOUSE

Subject: Reply to Soviet Aide Memoire

The attached telegram suggests an alteration in the Presidential Statement proposed to be made on the occasion of the US reply to the Soviet aide memoire of June 4.

Since the suggestion is sound, we told Ambassador Finletter that we accept his recommendation. It is therefore proposed that the existing text of the Presidential Statement be altered to take this suggestion into account.

A complete text of the Presidential Statement showing this change and the changes heretofore agreed with the British and the French is attached.

DEPARTMENT OF STATE A/EDG/HR

REVIEWED BY Hooster DATE 4/7/86

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JUL 14 1961

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[Signature] Melvin L. Montell

L. B. Rattle
 Executive Secretary

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Enclosures:

1. Telegram to Department from USSR.
2. Latest Draft of Presidential Statement with changes.

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S/S-RO
 JUL 14 1961
 This copy of signed original

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Reclassified by RM/6

EUR-Richard R. Davis

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TRANSCRIPTION - ORIGINAL FOLLOWS

In consultation and full agreement with its British and French allies, and after consultation other member governments of North Atlantic Treaty Organization and with the benefit of the view of the Federal Republic of Germany/ the United States yesterday delivered through its Embassy in Moscow its reply to the aide-memoire on Germany and Berlin received from the Soviet Government on June 4. Our reply speaks for itself and advances what I believe to be an irrefutable legal, moral and political position. In this statement I should like to convey to the American people and the people of the world the basic issues which underlie the somewhat more formal language of diplomacy.

The Soviet aide-memoire is a document which speaks of peace but threatens to disturb it. It speaks of ending the abnormal situation in Germany but insists on making permanent its abnormal division. It refers to the Four Power Alliance of World War II but sees the unilateral abrogation of the rights of the other three powers. It calls for new international agreements while preparing to violate existing ones. It offers certain assurances while making it plain that its previous assurances are not to be relied upon. It professes concern for the rights of the citizens of West Berlin while seeking to expose them to the immediate or eventual domination of a regime which permits no self-determination. Three simple facts are clear:

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July 7, 1961

PRESIDENTIAL STATEMENT

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(1) Today

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(1) Today there is peace in Berlin, in Germany and in Europe. If that peace is destroyed by the unilateral actions of the Soviet Union, its leaders will bear a heavy responsibility before world opinion and history.

(2) Today the people of West Berlin are free. In that sense it is already a "free city" -- free to determine its own leaders and free to enjoy the fundamental human rights reaffirmed in the United Nations Charter.

(3) Today the continued presence in West Berlin of the United States, the United Kingdom and France is by clear legal right, arising from war, acknowledged in many agreements signed by the Soviet Union, and strongly supported by the overwhelming majority of the people of that city. Their freedom is dependant upon our exercise of these rights -- an exercise which is thus a political and moral obligation as well as a legal right. Inasmuch as these rights, including the right of access to Berlin, are not held from the Soviet Government, they cannot be ended by any unilateral action of the Soviet Union. They cannot be affected by a so-called "peace treaty", covering only a part of Germany, with a regime of the Soviet Union's own creation -- a regime which is not freely representative of all or any part of Germany, and does not enjoy the confidence of the 17 million East Germans. The steady stream of German refugees from East to West is eloquent testimony to that fact.

The United States has been prepared since the close of the war, and is prepared today, to achieve, in agreement with all of its World War II allies,

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a freely negotiated peace treaty covering all of Germany and based on the freely expressed will of all of the German people. We have never suggested that, in violation of international law and earlier Four Power agreements, we might legally negotiate a settlement with only a part of Germany, or without the participation of the other principal World War II Allies. We know of no sound reason why the Soviet Government should now believe that the rights of the Western Powers, derived from Nazi Germany's surrender, could be invalidated by such an action on the part of the Soviet Union.

The United States has consistently sought the goal of a just and comprehensive peace treaty for all of Germany since first suggesting in 1946 that a special commission be appointed for this purpose. We still recognize the desirability of change -- but it should be a change in the direction of greater, not less, freedom of choice for the people of Germany and Berlin. The Western Peace Plan and the All-Berlin solution proposed by the Western Allies at Geneva in 1959 were constructive, practical offers to obtain this kind of fair settlement in Central Europe. Our objective is not to perpetuate our presence in either Germany or Berlin -- our objective is the perpetuation of the peace and freedom of their citizens.

But the Soviet Union has blocked all progress toward the conclusion of a just treaty based on the self-determination of the German people, and has instead repeatedly heightened world tensions over this issue. The Soviet Blockade of Berlin in 1948, the Soviet note of November 27th, 1958, and this

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most recent Soviet aide-memoire of June 4, 1961, have greatly disturbed the tranquility of this area.

The real intent of the June 4 aide-memoire is that East Berlin, a part of a city under 4-Power status, would be formally absorbed into the so-called German Democratic Republic while West Berlin, even though called a "free city", would lose the protection presently provided by the Western Powers and become subject to the will of a totalitarian regime. Its leader, Herr Ulbricht, has made clear his intention, once this so-called "peace treaty" is signed, to curb West Berlin's communications with the free world and to suffocate the freedom it now enjoys.

The area thus newly subjected to Soviet threats of heightened tension poses no danger whatsoever to the peace of the world or to the security of any nation. The world knows that there is no reason for a crisis over Berlin today -- and that, if one develops, it will be caused by the Soviet Government's attempt to invade the rights of others and manufacture tensions. It is, moreover, misusing the words "freedom" and "peace". For, as our reply states, "freedom" and "peace" are not merely words -- nor can they be achieved by words or promises alone. They are representative of a state of affairs.

A city does not become free merely by calling it a "free city". For a city or a people to be free requires that they be given the opportunity, without economic, political or police pressure, to make their own choices and to live their own lives. The people of West Berlin today have that freedom. It is the objective of our policy that they shall continue to have it.

Peace does not

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Peace does not come automatically from a "peace treaty". There is peace in Germany today even though the situation is "abnormal". A "peace treaty" that adversely affects the lives and rights of millions will not bring peace with it. A "peace treaty" that attempts to affect adversely the solemn commitments of three great powers will not bring peace with it. We again urge the Soviet Government to reconsider its course, to return to the path of constructive cooperation it so frequently states it desires, and to work with its World War II allies in concluding a just and enduring settlement of issues remaining from that conflict.

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